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HIGH COURT OF CHHATTISGARH AT BILASPUR

M.A.No.1096/2007

Single Bench: Hon'ble Shri Dilip Raosaheb Deshmukh, J.

Appellant
Claimant

Guddu @ Jainarayan Patel S/o Dau
@ Bodh Ram Patel, aged about 19
years, Occupation - Agriculture
labourer, Caste - Marar, R/o Village-
Jatapali, Post Office-Singhanpur,
Police Station & Tehsil-Basna,
District-Mahasamund (CG)

Versus

Respondents
Non-applicants

1. Ghasiram Chouhan, S/o Joidha Chouhan, aged about 33 years, Occupation-Driver, R/o Mahal Para, Saraipali, Tehsil - Saraipali, District-Mahasamund (CG)
[Driver of vehicle Mini Bus bearing registration No.C.G.06/A-8286]
2. Jashwant Singh Saluja S/o Inder Singh Saluja, Occupation-Registered owner of Vehicle Mini Bus C.G.06/A-8286, R/o Village Basna, Tehsil-Basna, District-Mahasamund (CG)
3. The New India Insurance Company Limied, through Divisional Office, Divisional Manager, Madina Building, Jail Road, Kutchery, Raipur, District-Raipur (CG)
[Insurer of vehicle Mini bus bearing registration No.C.G.06/A-8286]
4. Bajeer Singh Choudhari S/o Mohan Singh Choudhari, aged about 28 years, Occupation-Driver, through M.S. Transport Corporation of India, 17/6, Mathura Road, Faridabad, Hariyana,
[Driver of vehicle Trailer Container bearing registration No.H.R.51/GA-1437]
5. M.S. Transport Corporation of Inida, Tatibandh, Raipur, District-Raipur (CG), Other Address-M.S. Transport Corporation of India, 17/6, Mathura Road, Faridabad, Hariyana,
[Registered owner of vehicle Trailer Container bearing registration

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- No.H.R.51/GA-1437]
6. The Oriental Insurance Company Limited, through Divisional Manager, Divisional Office, Madina Building, Kutchery Chowk, Jail Road, Raipur, District-Raipur (CG)
[Insurer owner of vehicle Trailer Container bearing registration No.H.R.51/GA-1437]

Memorandum of appeal under Section 173 of the Motor Vehicles Act, 1988.

Present:-

Shri Shivendu Pandya, counsel for the appellant.

ORAL ORDER

(Passed on 28th September, 2007)

Heard on I.A. No. 1 for condonation of delay in filing this appeal.

(2) For the reasons mentioned in the application, delay of 3 days in filing this appeal, is condoned. Application is allowed.

(3) Heard on admission.

(4) The appellant is aggrieved by the award dated 30.10.2006 passed by the Chief Motor Accidents Claim Tribunal, Mahasamund whereby compensation of Rs.45,784/- was awarded ^{a case of} personal injury.

(5) Learned counsel for the appellant did not dispute that the appellant/claimant did not sustain any grievous injury in the accident. It was further submitted that the medical evidence was not adduced by the claimant. No ground for enhancement of compensation awarded by the M.A.C.T was pointed out.

(6) In that view of the matter, the appeal for enhancement of compensation, being devoid of any merit, is dismissed at the stage of admission.

Sd/-
Dilip Raosaheb Deshmukh
Judge